

**Yee &
Associates, P.C.**

4100 Alpha Road
Suite 1100
Dallas, Texas 75244

Main No. (972) 385-8777
Facsimile (972) 385-7766

**RECEIVED
CENTRAL FAX CENTER**

JUN 10 2005

Facsimile Cover Sheet

To: Commissioner for Patents for Examiner Ramsey Refai Group Art Unit 2154	Facsimile No.: 703/872-9306
From: Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 19
Message:	
Transmitted herewith:	
<ul style="list-style-type: none">• Transmittal Document; and• Response to Office Action.	
Re: Application No. 09/838,368 Attorney Docket No: AUS920010016US1	
Date: Friday, June 10, 2005	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION BY
FAXING A CONFIRMATION TO 972-385-7766.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dutta et al.

§ Group Art Unit: 2154

Serial No.: 09/838,368

§ Examiner: Refai, Ramsey

Filed: April 19, 2001

§ Attorney Docket No.: AUS920010016US1

For: Automatic Backup of Wireless
Mobile Device Data Onto Gateway
Server While Device is Idle

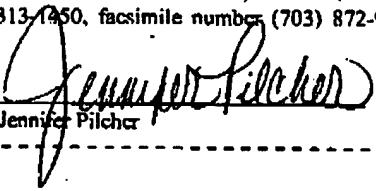
35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBERCertificate of Transmission Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306, on June 10, 2005.

By:

Jennifer Pilcher


TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

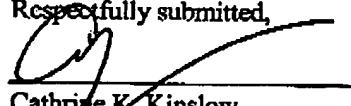
Sir:

ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,


 Catherine K. Kinslow

Registration No. 51,886

Duke W. Yee

Registration No. 34,285

YEE & ASSOCIATES, P.C.

P.O. Box 802333

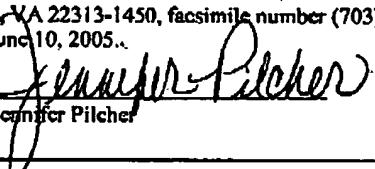
Dallas, Texas 75380

(972) 385-8777

ATTORNEY FOR APPLICANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application: Dutta et al.****Serial No.: 09/838,368****Filed: April 19, 2001****For: Automatic Backup of Wireless
Mobile Device Data Onto Gateway
Server While Device is Idle****RECEIVED
CENTRAL FAX CENTER****JUN 10 2005****Group Art Unit: 2154****Examiner: Refai, Ramsey****Attorney Docket No.: AUS920010016US1**

Certificate of Transmission Under 37 C.F.R. § 1.8(a)
I hereby certify this correspondence is being transmitted via
facsimile to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, facsimile number (703) 872-
9306, on June 10, 2005.

By: 
Jennifer Pilcher

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated March 10, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.